

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

DECISION AND ORDER

97-CR-6047L
12-CR-6112L

v.

THOMAS CRAMER,

Defendant.

Defendant Thomas Cramer (“Cramer”) has had several convictions in this Court and either restitution or a fine was entered in both cases. Restitution was ordered in the amount of \$39,335.30 in 97-CR-6047 on Cramer’s wire fraud conviction. A \$6,000 fine was ordered in 12-CR-6112L for defendant’s conviction of sex trafficking of a minor.

Cramer has filed, *pro se*, a letter/motion (Dkt. #34 in 97-CR-6047; Dkt. #67 in 12-CR-6112) for an order cancelling his obligation to continue to pay restitution payments in 97-CR-6047, and to have payments extracted from his account made pursuant to Bureau of Prison’s Financial Responsibility Program be applied only to the \$6,000 fine imposed in 12-CR-6112. The Government has filed a Response (Dkt. #68) in 12-CR-6112.

The motion by Cramer is in all respects DENIED. For the reasons set forth in the Government’s Response, this Court has no jurisdiction to change or modify the mandatory restitution order entered in 97-CR-6047. Criminal judgments, once entered, may not be changed or modified absent statutory authority to do so. There is no basis here for that relief.

CONCLUSION

Defendant Thomas Cramer's motion (Dkt. #34 in 97-CR-6047; Dkt. #67 in 12-CR-6112) is in all respects DENIED.

IT IS SO ORDERED.



DAVID G. LARIMER
United States District Judge

Dated: Rochester, New York
July 21, 2020.